

### REMARKS

Reconsideration and allowance are respectfully requested.

Applicant appreciates the allowance of claims 2-5. Claim 2 has merely been amended to correct "that" to "than" on the last line. The amendment to claim 1 adds subject matter allowed in claim 2. No new issues are raised by the amendment. No new matter has been added by the above amendments and by the present response.

#### Claim Rejections:

The above amendment to claim 1 addresses the 35 U.S.C., first paragraph issue on pages 2-3 of the office action. No new matter has been added.

#### Claims 1, 2 and 6-8 are patentable under 35 U.S.C. 103(a) over Gheysen (U.S. Patent No. 5,353,846).

The claims of the present invention are not anticipated by Gheysen.

Applicant's invention as claimed in claim 1 comprises a shed forming device with two or more sets of hooks that are provided with complementary hooks, operating in conjunction with a pulley. The complementary hooks of one set of hooks operate in conjunction with one pulley. A number of first pulleys, of one or more sets of hooks, are provided continuously in an upper row. And, a number of second pulleys, of one or more second sets of hooks, are provided continuously in a lower row. The upper row of pulleys and the lower row of pulleys are constant. The first pulleys of the upper row have a bottom position always remaining higher than a top position of the second pulleys of the lower row. Those features are not found in Gheysen.

The Gheysen patent has pulleys that are associated with pairs of hooks. During the shed forming, a number of pulleys are lowered and a number of pulleys are raised, and form two layers of pulleys that are **not** continuously the same.

In a normal working condition of a shedding mechanism, and more specifically in a jacquard, the pulleys are being moved up and down, depending on the selection which is defined by the weaving pattern. The present invention as claimed defines that a row, meaning a number of first pulleys, during normal working condition of the shed forming device, independent from the selection of the hooks defined by the weaving patterns, are continuously moving up and down in a working zone that is continuously above the working zone of a number of second pulleys. This means that the first pulleys (of the upper "row" or working zone) have a bottom position that is always higher than the top position of the second pulleys (of the lower "row" or working zone). Gheysen does not describe, teach or suggest all those claimed features.

Thus, since Gheysen does not teach or suggest all the limitations of Applicant's Claim 1 either expressly or through the principles of inherency, the rejection of Claim 1 under 35 U.S.C. § 103(a) as obvious over Gheysen is improper, and should be withdrawn.

Claim 6 depends from patentable Claim 1 and includes the further patentable limitation that the device is provided with single lifting elements in order to take along the sets of hooks on selection.

Claim 7 depends from patentable Claim 1 and includes the further patentable limitation that the device is used in a two- or more-position open shed Jacquard machine.

Claim 8 depends from patentable Claim 1 and includes the patentable limitation of a weaving machine comprising a shed forming device according to claim 1.

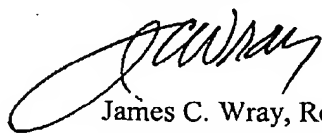
OCT 19 2009

For these additional reasons, and for the reasons set forth regarding the rejection of Claim 1, the rejection of Claims 6, 7 and 8 under 35 U.S.C. 103(a) as obvious over Gheysen is improper; and should be withdrawn.

### CONCLUSION

Reconsideration and allowance are respectfully requested.

Respectfully,



James C. Wray, Reg. No. 22,693  
Meera P. Narasimhan, Reg. No. 40,252  
1493 Chain Bridge Road, Suite 300  
McLean, Virginia 22101  
Tel: (703) 442-4800  
Fax: (703) 448-7397

October 19, 2009